



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/09/2019

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) . No.12594 of 2019

Rajesh

... Petitioner/Accused No.1

Vs

STATE REP. BY

The Inspector of Police,
Pudukkadai Police Station,
Kanyakumari District,
Crime No.267 / 2014.

... Respondent/Complainant

For Petitioner : M/s. S. Sivakumar,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

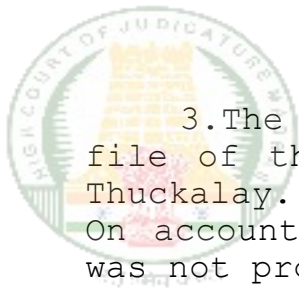
PRAYER :-

For Anticipatory Bail in Crime No.267 of 2014 on the file of the respondent

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police in S.C.No.205 of 2015, on the file of the learned Additional Sessions Judge, Padmanabhapuram at Thuckalay, for the alleged offences punishable under section 3(i) of TNPPDL Act, in Crime No.267 of 2014, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.



3.The petitioner is facing trial in S.C.No.205 of 2015, on the file of the learned Additional Sessions Judge, Padmanabhapuram at Thuckalay. Non-Bailable Warrant came to be issued on 04.01.2016. On account of his abscondance for the last three years, the trial was not progressed.

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4.The learned counsel for the petitioner states that the petitioner was employed in Kerala and that is why he could not appear before the Court. However, he would further states that the petitioner will appear before the Court below on 12.09.2019 and apply for recall of warrant.

5.On such application being filed, the learned Trial Judge is directed to recall the same at the end of the day. The petitioner shall appear before the Court below every hearing dates without fail. If he is unable to appear, he will file an application under Section 317 of Cr.P.C., and his counsel will have to represent him. The petitioner cannot heard to give any excuse from the Court by filing petition even on single day. If the petitioner is absent and there is no representation on his behalf and as a result, the trial is stalled, the order now passed will stand automatically vacated and the petitioner will be remanded to custody.

6.Recording the undertaking given by the petitioner, this Criminal Original Petition is disposed of.

sd/-
10/09/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. Additional Sessions Judge, Padmanabhapuram,
Thuckalay.
2. The Inspector of Police,
Pudukkadai Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. C.C. to M/S.S.SIVAKUMAR, Advocate SR.No. 15169

ORDER
IN

CRL OP (MD) No.12594 of 2019

sjj
ES/10.09.2019/2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>